

12-18-02

ATTORNEY DOCKET NO.: AAM-3

DAK 4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application: Alexander, et. al.) Group Art Unit: 3628 #11
Serial No.: 09/817,779) Examiner: Scott M. Ledford
Filed: March 26, 2001) Our Account No.: 04-1403
Confirmation No.: 7814)
Title: TEMPORARY SIGN SYSTEM)

Commissioner for Patents
U.S. Patent and Trademark Office
Washington, DC 20231

**REQUEST FOR RECONSIDERATION OF PETITION UNDER
37 C.F.R. § 1.47 (a)**

This is a response in the above-identified application and includes the herewith attachment of same date and subject which is incorporated hereinto by reference and the signature below is to be treated as the signature to the attachment in absence of a signature thereto.

Fee requirements (if any) have been calculated as shown below:

Claims remaining after amendment	Highest number previously paid for	Present Extra	Additional Fee
Total Effective Claims	minus	=	x \$18 =
Independent Claims	minus	=	x \$84 =
If amendment enters <u>proper</u> multiple dependent claim(s) into this application for <u>first</u> time, add \$270.00 (per application)			
Since Official Action set an <u>original</u> due date of <u>October 26, 2001</u>			
PETITION is hereby made for an extension to cover the date this response is filed for which the requisite fee is enclosed (1 month \$110; 2 months \$400; 3 months \$920; 4 months \$1440)			
If Terminal Disclaimer enclosed, add Rule 20(d) Official Fee (\$110.00)			
SUBTOTAL:			\$ <u>400.00</u>
If "small entity" verified statement filed [<input checked="" type="checkbox"/>] previously, [<input type="checkbox"/>] herewith, enter one-half (½) of subtotal and subtract			\$ <u>200.00</u>
TOTAL:			\$ <u>200.00</u>
Other: <u>Corrected Executed Declaration</u>			\$ <u>00</u>

TOTAL FEE ENCLOSED: \$ 200.00

The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any fees in addition to the fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (deficiency only) now or hereafter relative to this application and the resulting official document under Rule 20, or credit any overpayment, to our Account No. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. This statement does not authorize charge of the issue fee in this case.

ADDRESS:
Post Office Box 1449
Greenville, South Carolina 29602

DORITY & MANNING
ATTORNEYS AT LAW, P.A.
By: Timothy D. St. Clair Reg. No.: 48,316 Date: 12/17/02

Telephone: 864-271-1592
Facsimile: 864-233-7342

Signature: T. D. St. Clair

"Express Mail" - Mailing Label Number EV 110367335 US

Date of Deposit December 17, 2002

I hereby certify that this correspondence and any referenced attachment and fee are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner for Patents, U.S. Patent and Trademark Office, Washington, DC 20231, on December 17, 2002.

Patti B. Weaver
(Typed or printed name of person mailing paper or fee)

Patti B. Weaver
Signature of person mailing paper or fee)

RECEIVED

DEC 19 2002

OFFICE OF PETITIONS



Attorney Docket No.: AAM-3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#11

In Re-application:) Examiner: Unknown
Ricky T. Holder, et al)
Serial No: 09/817,779) Art Unit: Unknown
Filed: March 26, 2001)
For: Temporary Sign System)

**REQUEST FOR RECONSIDERATION OF PETITION UNDER
37 C.F.R. § 1.47(a)**

Assistant Commissioner for Patents
Box DAC
Washington, DC 20231

Honorable Assistant Commissioner:

Request is hereby made for reconsideration of Applicants' prior Petition pursuant to 37 C.F.R. § 1.47 for compliance with the Notice to File Missing Parts dated May 7, 2001 with respect to the above-captioned application, for one joint inventor to make application for patent on behalf of himself and on behalf of joint inventors who refuse to join in the application.

By Petition filed December 7, 2001, Applicants requested that the Declaration provided therewith, signed by Luther Kenneth Alexander with the signature blocks of the nonsigning inventors left blank, be treated as having been signed by Luther Kenneth Alexander on behalf of himself and on behalf of the nonsigning inventors, pursuant to 37 C.F.R. § 1.47 and MPEP § 409.03(a)(A).

RECEIVED
DEC 19 2002
OFFICE OF PETITIONS

By action mailed August 26, 2001, the Office of Petitions refused status under 37 C.F.R. § 1.47(a), stating that a valid declaration must contain the citizenship and mailing address of every inventor, including such for the nonsigning inventors. Accordingly, the Petition was dismissed. The Office of Petitions provided Petitioner two months from the mailing date of this decision to respond, correcting the cited deficiencies, and noting that any extensions of time would be governed by 37 C.F.R. § 1.136(a).

In reply, submitted herewith is a corrected "Combined Declaration for Patent Application and Power of Attorney," in which the citizenships and mailing addresses of every inventor has been provided.

Pursuant to 37 C.F.R. § 1.47, inventor Luther Kenneth Alexander signs the herewith submitted Declaration on behalf of himself and on behalf of the other two co-inventors, Ricky T. Holder and Lamar Merck. Additionally, the affidavits of Patricia Alexander and Timothy D. St.Clair, previously submitted with Applicants' December 7, 2001 Petition, are offered and urged as proof of the pertinent facts that Ricky T. Holder and Lamar Merck have refused to join in the above-captioned application and have refused to sign an oath or declaration. Pursuant to MPEP § 409.03(a)(A), the attached Declaration signed by Luther Kenneth Alexander with the signature blocks of the nonsigning inventors left blank is urged and offered to be treated as having been signed by Luther Kenneth Alexander on behalf of himself and on behalf of the nonsigning inventors.

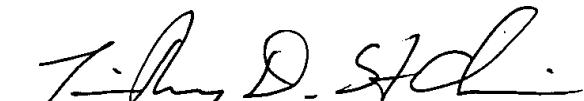
Also submitted herewith is the fee set for two months of extension in responding to the decision. If any additional fee is required, the undersigned authorizes charging Deposit Account No. 04-1403 for any such fee not submitted herewith.

For the reasons stated, Petition respectfully requests reconsideration of the previously-issued dismissal, and requests acceptance of the enclosed "Combined Declaration for Patent Application and Power of Attorney," in which the citizenships and mailing addresses of every inventor has been provided, for compliance with the Notice to File Missing Parts dated May 7, 2001 with respect to the above-captioned application, to be treated as having been signed by Luther Kenneth Alexander on behalf of himself and on behalf of the nonsigning inventors pursuant to 37 C.F.R. § 1.47 and MPEP § 409.03(a)(A). Favorable reconsideration and acceptance of the enclosed Declaration are respectfully requested.

Should any questions arise with respect to this Petition, officials of the Patent and Trademark Office are invited to contact the undersigned at their convenience, at (864) 271-1592.

Respectfully submitted,

December 17, 2002



Timothy D. St.Clair
Reg. No. 48,316

DORITY & MANNING, ATTORNEYS AT LAW, P.A.
55 Beattie Place, Suite 1600
Greenville, South Carolina 29601
(864) 271-1592